

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF PENNSYLVANIA**

**Case Number: 00-186-CR-McVerry**

**UNITED STATES OF AMERICA**

*Plaintiff,*

**v.**

**WAYNE OTTEY,**

*Defendant.*

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CLERK  
U S DISTRICT COURT

**MOTION TO COMPEL PRODUCTION OF DOCUMENTARY EVIDENCE**

The Defendant, Wayne Ottey, by and through his undersigned counsel, pursuant to Rule 12 (b)(3)(E) and Rule 16 (a)(1)(E) of the Federal Rules of Criminal Procedure moves to compel the production of documentary evidence which is material to preparing the defense and/or that the government intends to use such items in its case in chief and as grounds therefore would state as follows:

1. At the pretrial detention hearing on February 9, 2007, the government made a proffer of the evidence it intended to prove at the time of trial.

The Government admitted possessing the following documents:

a. All records of air flights by "Brandon Green" and/or Wayne Ottey from Baltimore, Maryland to Oakland, California and back (at least 8 trips in 1999).

b. All documents reflecting the Defendant staying at the Comfort Inn.

- c. A driver's license in the name of Brandon Green.
- d. All photographs including but not limited to five (5) empty kilo wrappers.
- e. Photographs reflecting credit cards in Brandon Green's name.
- f. All Western Union wires from 1989 to 2000.
- g. All Western Union wire transfer documents between 1993 and July 1997 as contained within Count III through XII of the Indictment.

2. The Defendant moves for production of any and all other papers, documents, data, photographs, tangible objects or copies of any of these items within the government's possession, custody or control which the government intends to use in its case in chief at trial or the item was obtained from or belongs to the Defendant.

**LOCAL RULE DISCOVERY DISPUTE CERTIFICATE**

The government through Assistant United State Attorney Greg Nescott has advised that all the evidence will be provided and other evidence intended to be used is available for inspection and copying.

/s Alan R. Soven *Alan Soven pump*  
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Attorneys for Defendant Wayne Ottey

**Certificate of Service**

I hereby certify that on June 11, 2007, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record or pro se parties identified on the attached Service List in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

s/ Alan R. Soven

Alan R. Soven

**SERVICE LIST**

United States of America v. Wayne Ottey

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United States District Court, Western District of Pennsylvania

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